

MAR 02 2009

Practitioner's Docket No. LUC-012**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Poopathy Kathirgamanathan et al.

Application No.: 10 /537,315 Group No.: 1794

Filed: June 2, 2005 Examiner: Michael E. Nelson

For: Electroluminescent Materials and Devices

 *Patent No.:

Issue Date:

Reexamination No.:

**NOTE: Preferably also insert inventor's name and invention title.*

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER TO OBLIGATE
A DOUBLE PATENTING REJECTION (37 C.F.R. § 1.321(c))

Identification of Person(s) Making This DisclaimerI, David Silverstein*(type or print names of all inventors or assigns or name of attorney signing disclaimer)*

(a) represent that I am

an inventor (applicant) of this invention.
 an assignee of this invention.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10**(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

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SignatureLeslie R. Silverstein*(type or print name of person certifying)*Date: February 28, 2009

140.00 (P)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

(Terminal Disclaimer to Obviate a Double Patenting Rejection [9-4]—page 1 of 5)

03/03/2009 CCHM01 00000019 10537315

03 FC:1814

WARNING: "If the patent or patent application is assigned to an organization, such as a corporation, partnership, university, [g]overnment agency or similar entity, and the disclaimer is signed by the assignee, the assignee must comply with § 3.73(b)." Notice of Oct. 15, 1993, 1156 O.G. 54-61 at 56, § 1490, M.P.E.P., 7th Edition.

a representative authorized to sign on behalf of the assignee identified below.

A statement under 37 C.F.R. § 3.73(b) is attached.

WARNING: See the above "WARNING."

the attorney of record for this invention.

WARNING: Assignee data must be shown even if attorney signs.

NOTE: The rules "permit an attorney or agent of record to sign a terminal disclaimer without the need to comply with § 3.73(b)." Notice of Oct. 15, 1993, 1156 O.G. 54-61, at 56. See also § 1490, M.P.E.P., 7th Edition.

IDENTITY OF ASSIGNEE AND TITLE OF DISCLAIMER (if applicable)

The assignee is

Name of assignee Merck Patent GMBH

Address of assignee Frankfurter Straße 250
Darmstadt, Germany 64293

Title of disclaimant authorized to sign on behalf of assignee Attorney of record

EXTENT OF DISCLAIMER'S INTEREST

The extent of the interest in this invention that the disclaimant owns is:

the whole of this invention.

a sectional interest in this invention, as follows:

NOTE: Disclaimers from the whole interest must be filed.

(state the exact interest of the disclaimant)

The disclaimant(s) is/are:

the applicant(s)

the assignee(s)

- based on the Assignment document recorded in the USPTO
on September 15, 2008 at Reel/Frame 021523/0912

RECORDAL OF ASSIGNMENT IN PTO
(if applicable)

The assignment was recorded on September 15, 2008

Reel 021523

Frame 0912

Authorization for recordal of the assignment is separately filed.
 A copy of the "ASSIGNMENT (DOCUMENT) COVER SHEET" or
 FORM PTO 1595 separately filed is attached.

ESTABLISHING RIGHT OF ASSIGNEE TO TAKE ACTION
(if applicable)

Attached is a STATEMENT UNDER 37 C.F.R. § 3.73(b) establishing the right of the assignee to take action in this case.

NOTE: Insert the appropriate page 3.

DISCLAIMER
(Obviousness-Type Double Patenting Rejection Over A Prior Patent)

Petitioner(s) hereby disclaims, except as provided below, the terminal part of any patent granted on the instant application, which would extend beyond the expiration date of Patent No. 7,211,334 as presently shortened by any terminal disclaimer.

Petitioner(s) hereby agree(s) that any patent so granted on the instant application shall be enforceable only for and during such period that it and the above-listed patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors, or assigns.

In making the above disclaimer, disclaimant does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the patent forming the basis of the double patenting rejection, namely, Patent No.: 7,211,334, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

NOTE: A terminal disclaimer filed to obviate a nonstatutory double patenting rejection based on a non-commonly owned patent or application disqualified under 35 U.S.C. 103(c) as a result of activities undertaken within the scope of a joint research agreement must comply with 37 CFR 1.321(d), which sets forth signature, waiver rights and enforceability requirements.

Check if applicable.

The owner of the instant application waives the right to separately enforce and the right to separately license the prior patent and any patent granted on the instant application. The owner of the instant application hereby agrees that the prior patent and any patent granted on the instant application shall be enforceable only for and during such period that the prior patent and any patent granted on the instant application are not separately enforced and are not separately licensed. The waiver, and this agreement, run with any patent granted on the instant application and are binding upon the owner of the instant application, its successors, or assigns.

DISCLAIMER FEE (37 C.F.R. § 1.20(d))

Other than a small entity — fee ~~\$130.00~~ 140.00

Small entity — fee \$65.00

Small entity statement attached

Small entity statement already filed

in patent application _____ / _____
 on _____ (Date)

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Fee already paid.

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Authorization is hereby made to charge ~~XXXXXXXXXXXXXX\$~~ any fee deficiency

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to Credit card as shown on the attached credit card information authorization form PTO-2038.

WARNING: Credit card information should not be included on this form as it may become public.

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this paper is attached.

Date: February 28, 2009

Reg. No.: 26.336

Customer No.:

Signature of disclaimant

David Silverstein

SIGNATURE OF PRACTITIONER OF RECORD

David Silverstein

(type or print name of practitioner)

Andover-IP-Law

P.O. Address

44 Park Street, Suite 300
Andover, MA 01810

TO: MILLS & ONELLO, LLP COMPANY: 11 BEACON STREET



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

SEPTEMBER 15, 2008

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PTAS

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BOSTON, MA 02108

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RECORDATION DATE: 09/15/2008

REEL/FRAME: 021523/0912
NUMBER OF PAGES: 4BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).
DOCKET NUMBER: SVS-0001ASSIGNOR:
OLED-T LIMITED

DOC DATE: 08/27/2008

ASSIGNEE:
MERCK PATENT GMBH
FRANKFURTER STRASSE 250
DARMSTADT, GERMANY 64293SERIAL NUMBER: 11796256
PATENT NUMBER:
TITLE: ELECTROLUMINESCENT MATERIALS AND DEVICESFILING DATE: 04/27/2007
ISSUE DATE:SERIAL NUMBER: 10494120
PATENT NUMBER:
TITLE: DOCUMENT AUTHENTICATIONFILING DATE: 06/07/2004
ISSUE DATE:

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021523/0912 PAGE 2

SERIAL NUMBER: 11732313 FILING DATE: 04/03/2007
PATENT NUMBER: ISSUE DATE:
TITLE: DOPED LITHIUM QUINOLATE

SERIAL NUMBER: 10503835 FILING DATE: 08/06/2004
PATENT NUMBER: ISSUE DATE:
TITLE: METHOD FOR FORMING ELECTROLUMINESCENT DEVICES

SERIAL NUMBER: 12084280 FILING DATE:
PATENT NUMBER: ISSUE DATE:
TITLE: ELECTROLUMINESCENT DEVICES

SERIAL NUMBER: 10540809 FILING DATE: 07/27/2005
PATENT NUMBER: ISSUE DATE:
TITLE: ELECTROLUMINESCENT MATERIALS AND DEVICES

SERIAL NUMBER: 11792167 FILING DATE: 06/25/2007
PATENT NUMBER: ISSUE DATE:
TITLE: ELECTROLUMINESCENT MATERIALS AND DEVICES

SERIAL NUMBER: 11792160 FILING DATE: 06/25/2007
PATENT NUMBER: ISSUE DATE:
TITLE: ELECTROLUMINESCENT MATERIALS AND DEVICES

SERIAL NUMBER: 10540733 FILING DATE: 07/27/2005
PATENT NUMBER: ISSUE DATE:
TITLE: ELECTROLUMINESCENT MATERIALS AND DEVICES

SERIAL NUMBER: 11667085 FILING DATE: 06/25/2007
PATENT NUMBER: ISSUE DATE:
TITLE: ELECTROLUMINESCENT COMPLEXES

SERIAL NUMBER: 10537315 FILING DATE: 08/22/2005
PATENT NUMBER: ISSUE DATE:
TITLE: ELECTROLUMINESCENT MATERIALS AND DEVICES

SERIAL NUMBER: 10540732 FILING DATE: 07/25/2005
PATENT NUMBER: ISSUE DATE:
TITLE: ELECTROLUMINESCENT MATERIALS AND DEVICES

SERIAL NUMBER: 10549430 FILING DATE: 09/15/2005
PATENT NUMBER: ISSUE DATE:
TITLE: ELECTROLUMINESCENT BORON COMPLEXES

SERIAL NUMBER: 11664851 FILING DATE:
PATENT NUMBER: ISSUE DATE:
TITLE: ELECTROLUMINESCENT DEVICES

SERIAL NUMBER: 10589183 FILING DATE:
PATENT NUMBER: ISSUE DATE:
TITLE: ELECTROLUMINISCENT MATERIALS AND DEVICES

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SERIAL NUMBER: 11629566 FILING DATE: 12/14/2006
PATENT NUMBER: ISSUE DATE:
TITLE: ELECTROLUMINESCENT MATERIALS AND DEVICES

SERIAL NUMBER: 11630765 FILING DATE: 12/22/2006
PATENT NUMBER: ISSUE DATE:
TITLE: ELECTROLUMINESCENT MATERIALS AND DEVICES

SERIAL NUMBER: 11659381 FILING DATE: 03/28/2007
PATENT NUMBER: ISSUE DATE:
TITLE: ELECTROLUMINESCENT MATERIALS AND DEVICES

SERIAL NUMBER: 11659919 FILING DATE: 02/10/2007
PATENT NUMBER: ISSUE DATE:
TITLE: ELECTROLUMINESCENT MATERIALS AND DEVICES

SERIAL NUMBER: 11660626 FILING DATE: 03/27/2007
PATENT NUMBER: ISSUE DATE:
TITLE: ELECTROLUMINESCENT MATERIALS AND DEIVCES

SERIAL NUMBER: 11661074 FILING DATE: 03/23/2007
PATENT NUMBER: ISSUE DATE:
TITLE: ELECTROLUMINESCENT MATERIALS AND DEVICES

SERIAL NUMBER: 11666766 FILING DATE: 06/25/2007
PATENT NUMBER: ISSUE DATE:
TITLE: BUFFER LAYER

SERIAL NUMBER: 11795007 FILING DATE: 07/10/2007
PATENT NUMBER: ISSUE DATE:
TITLE: ELECTROLUMINESCENT MATERIALS AND DEVICES

SERIAL NUMBER: 11884323 FILING DATE: 08/14/2007
PATENT NUMBER: ISSUE DATE:
TITLE: ELECTROLUMINESCENT MATERIALS AND DEVICES

SERIAL NUMBER: 10475627 FILING DATE: 01/16/2004
PATENT NUMBER: 7235311 ISSUE DATE: 06/26/2007
TITLE: ELECTROLUMINESCENT DEVICES INCORPORATING MIXED METAL ORGANIC
COMPLEXES

SERIAL NUMBER: 10480871 FILING DATE: 01/30/2004
PATENT NUMBER: 7354661 ISSUE DATE: 04/08/2008
TITLE: ELECTROLUMINESCENT DEVICES

SERIAL NUMBER: 10483137 FILING DATE: 03/05/2004
PATENT NUMBER: 7211334 ISSUE DATE: 05/01/2007
TITLE: ELECTROLUMINESCENT MATERIALS AND DEVICES

SERIAL NUMBER: 10485781 FILING DATE: 04/19/2004
PATENT NUMBER: 7303824 ISSUE DATE: 12/04/2007
TITLE: ELECTROLUMINESCENT DEVICE

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PATENT ASSIGNMENT

Electronic Version v1.1
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SUBMISSION TYPE:	NEW ASSIGNMENT					
NATURE OF CONVEYANCE:	ASSIGNMENT					
CONVEYING PARTY DATA						
<table border="1"><tr><td>Name</td><td>Execution Date</td></tr><tr><td>OLED-T Limited</td><td>08/27/2008</td></tr></table>		Name	Execution Date	OLED-T Limited	08/27/2008	
Name	Execution Date					
OLED-T Limited	08/27/2008					
RECEIVING PARTY DATA						
Name:	Merck Patent GmbH					
Street Address:	Frankfurter Strasse 250					
City:	Darmstadt					
State/Country:	GERMANY					
Postal Code:	64293					
PROPERTY NUMBERS Total: 28						
Property Type	Number					
Patent Number:	7235311					
Patent Number:	7354681					
Patent Number:	7211334					
Application Number:	11796256					
Patent Number:	7303824					
Application Number:	10494120					
Application Number:	11732313					
Application Number:	10503835					
Application Number:	12084280					
Application Number:	10540809					
Application Number:	11792167					
Application Number:	11792160					
Application Number:	10540733					
Application Number:	11667085					
Application Number:	10537315					

OP \$1120.00 7235311

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Application Number:	10540732
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Application Number:	11664851
Application Number:	10589183
Application Number:	11629566
Application Number:	11630765
Application Number:	11659381
Application Number:	11659919
Application Number:	11660626
Application Number:	11661074
Application Number:	11666766
Application Number:	11795007
Application Number:	11884323

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NAME OF SUBMITTER: Anthony P. Onello, Jr.

Total Attachments: 2

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